

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-4 and 6 are pending in the present application. Claims 1, 2 and 4 are amended by the present amendment.

Amendments to Claims 1 and 4 find support at least in original Claim 15 of the parent application, U.S. Patent Application 09/223,812, now U.S. Patent No. 6,665,303, and Claim 2 is amended to correct a minor informality. Thus, no new matter is added.

In the outstanding Office Action, the drawings were objected to; Claims 1 and 2 were objected to; Claims 1, 2 and 4 were rejected under 35 U.S.C. § 102(e) as anticipated U.S. Patent No. 6,414,952 to Foley; Claim 3 was rejected under 35 U.S.C. § 103(a) as unpatentable over Foley in view of U.S. Patent No. 6,073,176 to Baindur et al. (herein “Baindur”); and Claim 6 was rejected under 35 U.S.C. § 103(a) as unpatentable over Foley.

Regarding the objection to the drawings, Applicants respectfully submit that an example of the claimed call set up unit of Claims 1 and 2 is shown in Figure 10 as the telephone server unit 1004, which is described in the specification at page 32, lines 17-20. Accordingly, it is respectfully requested that objection be withdrawn.

Further, regarding the objections to the claims, Claims 1 and 2 are amended to correct the minor informalities noted in the outstanding Office Action. Accordingly, it is respectfully requested that objection also be withdrawn.

Applicants respectfully traverse the rejection of Claims 1, 2 and 4 under 35 U.S.C. § 102(e) as anticipated by Foley.

Amended Claim 1 is directed to a gateway device that includes, *inter alia*, a contents processing device connected to the home network that carries out a prescribed procedure for

obtaining permission from the server device through the connection established by a gateway device in response to a solicitation by the contents processing device.

In other words, the contents processing device solicits the setup of a connection to the server device by extracting an address information of the server device in order to obtain a permission regarding contents information utilization. The contents processing device carries out the prescribed procedure for obtaining the permission from the server device through the connection established by the gateway device in response to a solicitation, which is facilitated by the call setup unit and the transfer unit of the gateway device. Amended Claim 4 includes similar features.

Applicants respectfully submit that Foley does not teach or suggest the features of the claimed invention. Foley only discloses the general features of providing a user with connectivity to both the HAN (home local area network) and conventional telecommunications services through the NIC (network interface card) or a HAN peripheral device, and Foley fails to disclose any teaching for the specific manner of using this connectivity to both networks. In particular, Foley completely fails to disclose any teaching for soliciting the setup of a connection to the service device in order to obtain a permission regarding contents information utilization, from the contents processing device to the gateway through the home network, and then carrying out the prescribed procedure for obtaining the permission from the server device through the connection established by the gateway device in the telephone network and through the home network. Hence, Applicants respectfully submit that Foley does not teach or suggest a contents processing device that “carries out the prescribed procedure for obtaining the permission from the server device through the connection established by the gateway device in response to a solicitation by the contents processing device,” as recited in amended Claims 1 and 4.

Accordingly, Applicants respectfully submit that independent Claims 1 and 4, and claims depending therefrom, are allowable.

Further, Applicants respectfully traverse the rejection of Claim 3 under 35 U.S.C. § 103(a) as unpatentable over Foley in view of Baindur and the rejection of Claim 6 under 35 U.S.C. § 103(a) as unpatentable over Foley.

Claims 3 and 6 depend from Claims 1 and 4, respectively, which as discussed above are believed to be allowable. Further, Applicants respectfully submit that Baindur also does not teach or suggest the features of the independent claims and does not supply the claimed features described above that are absent from Foley. Accordingly, it is respectfully requested those rejections be withdrawn.

Consequently, in light of the above discussion and in view of the present amendment, the present application is believed to be in condition for allowance and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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